

Federal Defenders OF NEW YORK, INC.

52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

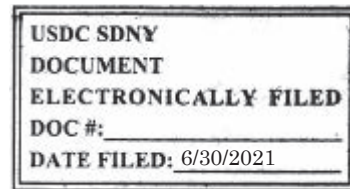
David E. Patton
Executive Director
and Attorney-in-Chief

Appeals Bureau
Barry D. Leiwant
Attorney-in-Charge

June 30, 2021

BY ECF

Honorable Alison J. Nathan
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007



**Re: *United States v. Marlon Roberts*,
15 Cr. 95 (AJN)**

Dear Judge Nathan,

I write on behalf of Marlon Roberts in reference to his pending § 2255 motion. Mr. Roberts previously asked the Court to delay a decision on his motion until resolution of a petition for certiorari related to *United States v. Dussard*, 967 F.3d 149 (2d Cir. 2020). On May 17, 2021, the Supreme Court denied that petition.

I have conferred with AUSA Allison Nichols on behalf of the government and propose that Mr. Roberts submit a response to the government's July 28, 2020 letter regarding *Dussard* by July 9, 2021. I understand the government does not object to this proposal. Thank you for consideration of this request.

SO ORDERED.

6/30/2021

Respectfully submitted,

/s/ Sarah Baumgartel
Sarah Baumgartel, Esq.
Assistant Federal Defender
52 Duane Street, 10th Fl.
New York, NY 10007
T: (212) 417-8772
Sarah_Baumgartel@fd.org

cc: AUSA Allison Nichols (by ECF)